

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

\* \* \* \* \*

Kevin Ashby,

Plaintiffs,

vs.

ORDER ADOPTING  
REPORT AND RECOMMENDATION

Autumn Park Apartments, and  
United Towing, Inc.,

Defendants.

Civ. No. 07-4766 (PJS/RLE)

\* \* \* \* \*

Based upon the Report and Recommendation of United States Magistrate Judge Raymond L. Erickson, and after an independent review of the files, records and proceedings in the above-titled matter, **IT IS ORDERED:**

1. That the Plaintiffs' Application to Proceed In Forma Pauperis [Docket No. 2] is denied, as moot.

2. That this action is summarily dismissed, but without prejudice, pursuant to Title 28 U.S.C. §1915(e)(2)(B)(ii).

Dated: 01/14/08

s/Patrick J. Schiltz  
Patrick J. Schiltz, Judge  
United States District Court